

APPENDIX.**STANDING COMMITTEE REPORTS.**

The following committees have today filed favorable reports on bills, as follows:

Highways and Motor Traffic: Senate bill No. 64.

Municipal and Private Corporations: Senate bill No. 31.

Game and Fisheries: House bills Nos. 163, 164, 168, 176 and 177.

Criminal Jurisprudence: House bill No. 25.

The following report was made on House bill No. 51 by the Committee on Municipal and Private Corporations:

Committee Room,

Austin, Texas, June 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Municipal and Private Corporations, to whom was referred House bill No. 51, have had the same under consideration and beg to pass it back to the House with the following report of committee action:

Affecting the motion by Mr. Williams that the bill be reported back to the House with the recommendation that it do pass, Mr. Hopkins raised the following point of order, viz: That House bill No. 51 contains the same substance and is identical to Senate bill No. 44, which has heretofore been defeated in the Senate during the present Second Called Session of the Forty-first Legislature of this State; that Section 34, of Article 3, of the Constitution of this State, provides: After a bill has been considered and defeated by either house of the Legislature, no bill containing the same substance shall be passed into a law during the same session; that Senate bill No. 44 having been defeated by the Senate, House bill No. 51, being identical in substance and wording, Section 34, of Article 3, of the Constitution of this State, would apply and, under the prohibition of the section and article referred to, House bill No. 51 cannot be passed into a law at this present session of the Legislature. It follows, as a consequence, that the committee is without right to further consider House bill No. 51.

The point of order, as stated, was sustained by the Chair, from which ruling an appeal was made by Mr. McGill. Upon the question of whether the decision of the Chair would be sus-

tained, the ruling of the chairman of the committee was sustained by a vote of the committee.

The foregoing is passed to the House as the report of the Committee on Municipal and Private Corporations on House bill No. 51.

NICHOLSON, Chairman.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, June 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 3, A bill to be entitled "An Act making appropriation for the support and maintenance of the State government for the two-year period beginning September 1, 1929, and ending August 31, 1931, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

NINTH DAY.

(Continued.)

(Wednesday, June 19, 1929.)

The House met at 9 o'clock a. m., and was called to order by Speaker Barron.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Rountree, Senate bill No. 31 was ordered not printed.

On motion of Mr. Holder, Senate bills Nos. 66 and 50 were ordered not printed.

On motion of Mr. Morse, Senate bill No. 119 was ordered not printed.

On motion of Mr. Minor, Senate bill No. 62 and House bill No. 99 were ordered not printed.

On motion of Mr. Strong, House bills Nos. 156, 161 and 162 were ordered not printed.

BILL RECOMMITTED.

On motion of Mr. Minor, House bill No. 169 was recommitted to the Judiciary Committee.

MOTION FOR CALL OF THE HOUSE.

Mr. Rountree moved a call of the House for the purpose of maintaining a quorum, and the call was not seconded.

RELATING TO HOUSE BILL NO. 78.

Mr. Graves of Erath moved that House bill No. 78, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—41.

Baker.	King.
Barnett.	Lemens.
Bateman.	Marks.
Bounds.	McDonald.
Brice.	Minor.
Carpenter.	Mosely.
Chastain.	Pope of Nueces.
Coltrin.	Quinn.
Cox of Limestone.	Ray.
Ewing.	Rountree.
Finlay.	Savage.
Forbes.	Shipman.
Giles.	Simmons.
Graves of Erath.	Stephens.
Hardy.	Tarwater.
Harper.	Van Zandt.
Johnson	Veatch.
of Dimmit.	Webb.
Johnson of Smith.	Wiggs.
Justiss.	Williams
Keeton.	of Sabine.
Kennedy.	Woodall.

Nays—53.

Mr. Speaker.	McKean.
Acker.	Metcalfe.
Albritton.	Montgomery.
Anderson.	Moore.
Avis.	Morse.
Brooks.	Murphy.
Conway.	Olsen.
Cox of Lamar.	Palmer.
Enderby.	Pavlica.
Gates.	Pool.
Gilbert.	Pope of Jones.
Harrison.	Richardson.
Heaton.	Sanders.
Hines.	Shaver.
Hogg.	Shelton.
Holder.	Sherrill.
Hubbard.	Sinks.
Jones.	Speck.
Keller.	Stevenson.
Kincaid.	Storey.
Lee.	Thompson.
Long of Houston.	Thurmond.
Long of Wichita.	Tillotson.
Mankin.	Turner.
Maynard.	Walters.
McCombs.	Warwick.
McGill.	

Present—Not Voting.

Johnson of Scurry. Williams of Travis.

Absent.

Ackerman.	Land.
Adkins.	Loy.
Baldwin.	Martin.
Beck.	Mauritz.
Bond.	Mehl.
Bradley.	Mullally.
Cox of Navarro.	Negley.
Davis.	Nicholson.
DeWolfe.	O'Neill.
Duvall.	Patterson.
Eickenroht.	Petsch.
Finn.	Purl.
Fuchs.	Reid.
Gerron.	Renfro.
Graves	Smith.
of Williamson.	Snelgrove.
Harding.	Strong.
Harman.	Waddell.
Hefley.	Wallace.
Hopkins.	Westbrook.
Hornaday.	White.
Kayton.	Woodruff.
Kemble.	Young.
Kinnear.	

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

Mr. Graves of Erath raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Anderson moved a call of the House for the purpose of securing and maintaining a quorum pending consideration of the motion by Mr. Graves of Erath, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Anderson, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was called and a quorum was announced present.

Question then recurring on the motion by Mr. Graves of Erath, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—46.

Baker.	Barnett.
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Bateman.	Minor.
Bounds.	Mosely.
Brice.	O'Neill.
Carpenter.	Pavlica.
Coltrin.	Pope of Nueces.
Enderby.	Quinn.
Ewing.	Ray.
Finlay.	Renfro.
Forbes.	Richardson.
Giles.	Rountree.
Graves of Erath.	Savage.
Hardy.	Shipman.
Harman.	Simmons.
Harper.	Snelgrove.
Johnson	Stephens.
of Dimmit.	Tarwater.
Johnson of Smith.	Van Zandt.
Justiss.	Veatch.
Keeton.	Webb.
Kennedy.	Wiggs.
King.	Williams
Lemens.	of Sabine.
Marks.	Woodall.
McDonald.	

Nays—55.

Mr. Speaker.	Montgomery.
Ackerman.	Moore.
Adkins.	Morse.
Albritton.	Murphy.
Anderson.	Negley.
Avs.	Olsen.
Brooks.	Palmer.
Chastain.	Petsch.
Conway.	Pool.
Cox of Lamar.	Pope of Jones.
Eickenroht.	Purl.
Finn.	Reid.
Gates.	Sanders.
Heaton.	Shaver.
Hines.	Sherrill.
Hogg.	Sinks.
Holder.	Speck.
Hubbard.	Stevenson.
Jones.	Strong.
Keller.	Thompson.
Kincaid.	Thurmond.
Kinnear.	Tillotson.
Land.	Turner.
Lee.	Walters.
Long of Wichita.	Warwick.
Mankin.	White.
Maynard.	Williams
McCombs.	of Travis.
McGill.	Woodruff.
McKean.	

Present—Not Voting.

Johnson of Scurry.

Absent.

Acker.	Bradley.
Baldwin.	Cox of Navarro.
Beck.	Cox of Limestone.
Bond.	Davis.

DeWolfe.	Loy.
Duvall.	Martin.
Fuchs.	Mauritz.
Gerron.	Mehl.
Gilbert.	Metcalfe.
Graves	Mullally.
of Williamson.	Nicholson.
Harding.	Patterson.
Harrison.	Shelton.
Hefley.	Smith.
Hopkins.	Storey.
Hornaday.	Waddell.
Kayton.	Wallace.
Kemble.	Westbrook.
Long of Houston.	Young.

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

Mr. McCombs moved to reconsider the vote by which the motion was lost, and to table the motion to reconsider. The motion to table prevailed.

MOTIONS FOR SPECIAL ORDER.

Mr. Purl moved that House bill No. 59 be set as a special order for 10 o'clock a. m. next Friday.

Mr. Harper moved that House bill No. 66 be set as a special order for 10 o'clock a. m. next Friday.

Question first recurring on the motion of Mr. Harper, it was lost by the following vote:

Yeas—38.

Anderson.	Mauritz.
Avis.	McDonald.
Baker.	Minor.
Barnett.	Olsen.
Bateman.	Palmer.
Bounds.	Pope of Nueces.
Brice.	Quinn.
Chastain.	Ray.
Cox of Lamar.	Renfro.
Enderby.	Richardson.
Eickenroht.	Shipman.
Forbes.	Simmons.
Harding.	Snelgrove.
Harman.	Stephens.
Harper.	Stevenson.
Hines.	Tarwater.
Johnson of Smith.	Veatch.
Keeton.	Walters.
King.	Webb.
Land.	

Nays—61.

Acker.	Albritton.
Ackerman.	Beck.

Brooks.	McGill.
Carpenter.	McKean.
Coltrin.	Metcalfe.
Conway.	Montgomery.
Ewing.	Moore.
Finn.	Mosely.
Finlay.	O'Neill.
Gates.	Pavlica.
Giles.	Pool.
Graves of Erath.	Pope of Jones.
Hardy.	Purl.
Harrison.	Reader.
Heaton.	Reid.
Hogg.	Rountree.
Holder.	Sanders.
Hornaday.	Shaver.
Hubbard.	Sherrill.
Johnson	Speck.
of Dimmit.	Storey.
Johnson of Scurry.	Strong.
Jones.	Thompson.
Justiss.	Thurmond.
Keller.	Tillotson.
Kennedy.	Turner.
Kincaid.	Van Zandt.
Lee.	Warwick.
Long of Houston.	White.
Long of Wichita.	Williams
Mankin.	of Sabine.
Marks.	Woodall.
Maynard.	Woodruff.
McCombs.	

Present—Not Voting.

Mr. Speaker.	Lemens.
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Absent.

Adkins.	Martin.
Baldwin.	Mehl.
Bond.	Morse.
Bradley.	Mullally.
Cox of Navarro.	Murphy.
Cox of Limestone.	Negley.
Davis.	Nicholson.
DeWolfe.	Patterson.
Duvall.	Petsch.
Fuchs.	Savage.
Gerron.	Shelton.
Gilbert.	Sinks.
Graves	Smith.
of Williamson.	Waddell.
Hefley.	Wallace.
Hopkins.	Westbrook.
Kayton.	Wiggs.
Kemble.	Williams
Kinnear.	of Travis.
Loy.	Young.

Absent—Excused.

Dunlap.	Rogers.
Jenkins.	Williams
Kenyon.	of Hardin.
Prendergast.	

Question then recurring on the motion of Mr. Purl, it was lost by the

following vote (not receiving the necessary two-thirds vote):

Yeas—59.

Mr. Speaker.	McGill.
Acker.	McKean.
Ackerman.	Metcalfe.
Anderson.	Minor.
Bateman.	Montgomery.
Beck.	Morse.
Brooks.	Nicholson.
Coltrin.	Olsen.
Conway.	O'Neill.
Cox of Lamar.	Pool.
Ewing.	Quinn.
Finn.	Ray.
Giles.	Richardson.
Hardy.	Sanders.
Harding.	Simmons.
Harman.	Sinks.
Harrison.	Speck.
Hogg.	Storey.
Holder.	Strong.
Johnson	Thompson.
of Dimmit.	Thurmond.
Johnson of Smith.	Van Zandt.
Johnson of Scurry.	Veatch.
Justiss.	Walters.
Keeton.	Warwick.
Keller.	Williams
Lee.	of Sabine.
Lemens.	Williams
Long of Wichita.	of Travis.
Maynard.	Woodall.
McCombs.	Woodruff.
McDonald.	

Nays—40.

Albritton.	Mankin.
Avis.	Moore.
Baker.	Mosely.
Barnett.	Murphy.
Bounds.	Pavlica.
Brice.	Pope of Jones.
Chastain.	Pope of Nueces.
Enderby.	Reid.
Finlay.	Renfro.
Forbes.	Rountree.
Gates.	Sherrill.
Graves of Erath.	Shipman.
Harper.	Snelgrove.
Heaton.	Stephens.
Hines.	Stevenson.
Hornaday.	Tillotson.
Kennedy.	Turner.
Kincaid.	Webb.
King.	White.
Land.	

Present—Not Voting.

Mauritz.	Tarwater.
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Absent.

Adkins.	Bond.
Baldwin.	Bradley.

Carpenter.	Loy.
Cox of Navarro.	Marks.
Cox of Limestone.	Martin.
Davis.	Mehl.
DeWolfe.	Mullally.
Duvall.	Negley.
Eickenroht.	Palmer.
Fuchs.	Patterson.
Gerron.	Petsch.
Gilbert.	Purl.
Graves	Savage.
of Williamson.	Shaver.
Hefley.	Shelton.
Hopkins.	Smith.
Hubbard.	Waddell.
Jones.	Wallace.
Kayton.	Westbrook.
Kemble.	Wiggs.
Kinnear.	Young.
Long of Houston.	

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

HOUSE BILL NO. 6 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act imposing an excise tax on motor fuels as defined herein, including all fuels ordinarily, practically and commercially usable in internal combustion engines for the generation of power, sold, distributed or used in this State by distributors, as defined, with certain exceptions, including crude oil, fuel oil and kerosene, and exempting motor fuels distributed or sold to and used by the United States government, requiring distributors to file applications and obtain permits before engaging in the use, sale and distribution of motor fuels as distributors, and the time and manner of procuring the same, etc., and declaring an emergency."

The bill was read second time,

(Pending consideration of the bill, Mr. Duvall occupied the chair temporarily.)

Mr. Montgomery offered the following amendment to the bill:

Amend House bill No. 6 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Chapter 93, Acts of the Regular Session of the Fortieth Legislature, Article 7065, Revised Civil

Statutes, 1925, be, and the same is hereby, amended so as to read hereafter as follows:

Article 7065 (7377). Tax on Gasoline. Every person selling at wholesale in intrastate commerce in this State any gasoline shall pay to the State of Texas an occupation tax equal to four cents per gallon so sold by such person. Such tax shall be due and payable at the office of the Comptroller at Austin on the 25th day of each month, based on such sales made during the calendar month next preceding. Every such person so selling gasoline shall, on or before the 25th day of each month, make and deliver to the Comptroller a report sworn to as correct by such person before an officer authorized to administer oaths in this State (or, if other than an individual, so sworn to by its president, secretary, treasurer, or other duly authorized officer, or by its representative in charge of such intrastate sales of such gasoline), on such forms as said Comptroller shall prescribe, of the total number of gallons of gasoline sold at wholesale in intrastate commerce in this State by such person during the next preceding calendar month. The term "selling at wholesale" or "sold at wholesale" or "sales at wholesale" as used in this law shall include:

1. Any and all sales of gasoline in any quantity whatsoever in intrastate commerce in this State to the retailer to be sold by such retailer to the consumer in any quantity whatsoever.

2. Any and all sales to consumer in intrastate commerce in this State of gasoline refined, compounded, manufactured, blended or prepared in this State where such sales are made by the person so refining, compounding, manufacturing, blending or preparing same, whether such sales are made in such person's own name or in the name of other or in the name of a representative, agent or employee of such person.

3. Any and all sales in any quantity whatsoever to the consumer in intrastate commerce in this State of gasoline brought into the State from outside the State, except that gasoline which is sold in intrastate commerce to the retailer for sale to the consumer, the selling of which latter mentioned is covered by subdivision 1 hereof.

Failure of the Comptroller to furnish any person affected by this law with a form for any report required to be made by such person shall not relieve such person of liability for penalties for failure to comply with this law as to any

such report. Every person required to pay said tax shall keep a complete record of all sales at wholesale made upon which the occupation tax herein levied is measured or computed, which record shall be in a permanently bound book or books (not loose leaf) and shall show the date of each such sale; the amount of same; to whom (except as to sales to the consumer) each such sale was made; from what place such gasoline was shipped and the name of the place of delivery of same. All of which records shall be open at all times to official inspection and examination of the Comptroller, or of the Attorney General, or any authorized employee or representative of such Comptroller or Attorney General. Any such person failing to keep such record or records as herein required shall forfeit to the State as a penalty an amount not exceeding one thousand dollars; and for each day such person so fails to keep such record or records a separate penalty shall accrue. Any person required to pay an occupation tax by this law failing to pay such tax on or before the date same is due and payable, shall pay to the State as a penalty an additional ten per cent of the amount of the tax due on said date and such tax and penalty shall draw interest at the rate of eight per cent per annum from due date until paid.

Any person required to make any report under this law failing to make the same in the manner or within the time prescribed by this law shall forfeit to the State a penalty of not to exceed one thousand dollars. Such penalty shall draw eight per cent interest from due date until paid. The occupation taxes herein levied shall be placed in the State Treasury by the Comptroller as provided in this law immediately upon the collection of same. One-fourth of such occupation tax shall go to the available free school fund and three-fourths of same shall be placed to the credit of the State Highway Fund for the construction and maintenance of the public highways of the State constituting a part of the State system of public highways as designated by the State Highway Commission, and said funds shall be set aside in a separate fund from the general revenue fund for the two purposes herein mentioned, and shall be subject to disbursement in accordance with the statute controlling the distribution of such available school fund and State Highway Fund, respectively. The Attorney General shall bring suit in behalf of the State in any court of com-

petent jurisdiction in Travis county to recover the amount of taxes, penalties and interest past due and payable by any person affected by this law. The word "gasoline" as used in this law means gasoline or gasoline substitute, refined, compounded, manufactured, blended or prepared in whole or in part from any derivative fraction or product of petroleum or natural gas; and shall also include what is commercially known as gasoline so refined, compounded, manufactured, blended or prepared. The word "person" as used in this law shall include persons, firms, partnerships, companies, corporations, associations, receivers, common law trusts, those operating under a declaration of trust, or other concern by whatsoever name known or howsoever organized, formed or created. It is the purpose and intent of this law to levy an occupation tax that will not operate to burden the industry with the tax every time any particular gasoline is sold, but to place the tax on only one transaction as to any particular gasoline, to the end that the tax will bear equally and uniformly on the gasoline industry. (Acts 3rd C. S. 1923, p. 158.)

Section 2. That any and all laws in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 3. The fact that one-fourth of the said occupation tax is to be devoted to the maintenance and support of the public free schools, and that the revenues now available to said public free schools are insufficient to provide for an efficient public school system for the ensuing scholastic year, creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three separate days be suspended and the same is hereby suspended and that this amendment take effect and be in force from and after its passage, and it is so enacted.

COMMITTEE OF THE WHOLE HOUSE.

Mr. Stevenson moved that the House do now resolve itself into a Committee of the Whole House for the purpose of investigating charges filed against the Land Commissioner.

Mr. McCombs moved to table the motion.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—32.

Acker.	McCombs.
Ackerman.	Morse.
Beck.	Negley.
Brooks.	O'Neill.
Cox of Navarro.	Palmer.
Davis.	Petsch.
Eickenroht.	Renfro.
Gerron.	Sanders.
Graves	Shaver.
of Williamson.	Sherrill.
Hogg.	Sinks.
Holder.	Speck.
Hubbard.	Walters.
Justiss.	Warwick.
Keeton.	Webb.
Long of Houston.	Young.
Mauritz.	

Nays—73.

Mr. Speaker.	Lemens.
Adkins.	Long of Wichita.
Albritton.	Marks.
Anderson.	Maynard.
Baker.	McDonald.
Barnett.	McGill.
Bateman.	McKean.
Bounds.	Metcalfe.
Carpenter.	Moore.
Chastain.	Mosely.
Coltrin.	Nicholson.
Conway.	Olsen.
Cox of Lamar.	Pavlica.
Cox of Limestone.	Pool.
Duvall.	Pope of Jones.
Enderby.	Pope of Nueces.
Ewing.	Purl.
Finlay.	Quinn.
Forbes.	Ray.
Gates.	Reid.
Gilbert.	Richardson.
Giles.	Rountree.
Graves of Erath.	Savage.
Hardy.	Shelton.
Harding.	Shipman.
Harman.	Simmons.
Harper.	Snelgrove.
Heaton.	Stephens.
Hines.	Stevenson.
Johnson	Strong.
of Dimmit.	Tarwater.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Keller.	Van Zandt.
Kennedy.	Veatch.
Kincaid.	White.
Kinnear.	Wiggs.
Land.	Woodall.
Lee.	

Absent.

Avis.	Bradley.
Baldwin.	Brice.
Bond.	DeWolfe.

Finn.	Mullally.
Fuchs.	Murphy.
Harrison.	Patterson.
Hefley.	Smith.
Hopkins.	Storey.
Hornaday.	Thompson.
Kayton.	Waddell.
Kemble.	Wallace.
King.	Westbrook.
Loy.	Williams
Mankin.	of Sabine.
Martin.	Williams
Mehl.	of Travis.
Minor.	Woodruff.
Montgomery.	

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

Question recurring on the motion by Mr. Stevenson, it prevailed.

The House then, accordingly, at 10:15 o'clock a. m., resolved itself into a Committee of the Whole House, Mr. Barron being called to the chair.

(In Committee of the Whole House, Mr. Barron in the chair.)

(Pending taking of the testimony, Mr. Holder occupied the chair temporarily.)

IN THE HOUSE.

(Mr. Barron in the chair.)

At 12 o'clock m., Mr. Barron, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave to sit again at 2 o'clock p. m. today.

The report was adopted.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Kinnear, Mr. Nicholson, Mr. Quinn, Mr. Morse, Mr. McCombs and Mr. Purl:

H. B. No. 183, A bill to be entitled "An Act providing for the conversion of interurban lines of railway in Texas into standard steam railroads, setting forth the conditions prerequisite to such conversion, and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Hardy and Mr. Tillotson:

H. B. No. 184, A bill to be entitled "An Act creating the Palo Pinto park and flood control commission; prescribing its duties; providing for a report by said commission to the Forty-second Legislature; appropriating from the general fund of the State of Texas certain moneys to defray the cost of making the necessary surveys and formulation of said report; reserving unto the State of Texas certain filing rights, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Lemens:

H. B. No. 185, A bill to be entitled "An Act amending Chapter 91, of the General and Special Laws of Texas of 1927, of the First Called Session of the Fortieth Legislature, entitled 'An Act providing for a rural school supervisor in lieu of the teachers' institute as required under Article 2691, and providing for the payment of the salary of said rural school supervisor in counties having a population of 36,750 to 37,550, according to the Federal census of 1920, and the scholastic population of at least 9000, as shown by the scholastic census report for the school year of 1926-27, and declaring an emergency,' so as to provide for the payment of expenses of said rural school supervisor, and declaring an emergency."

Referred to Committee on Education.

By Mr. Gates, Mr. Keller, Mr. McCombs and Mr. Anderson:

H. B. No. 186, A bill to be entitled "An Act authorizing the commissioners court in any county having a population of not less than 19,030 and not more than 19,060, according to the last preceding Federal census, to allow each county commissioner certain expenses for traveling and in connection with the use of his automobile on official business; requiring each such commissioner to pay the expense of operation and repair of each automobile used by him without further expense to the county; limiting the duration of this act, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Hardy:

H. B. No. 187, A bill to be entitled "An Act to amend an act of the Twenty-eighth Legislature, entitled 'An Act to create a more efficient road system

for Palo Pinto and Bosque counties,' being Chapter 22, Special Laws, 1903, as amended by Chapter 19, Special Laws, 1913, by adding thereto Section 12, authorizing the commissioners court of Palo Pinto county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes in Palo Pinto county and to levy a tax in payment thereof, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Minor:

H. B. No. 188, A bill to be entitled "An Act to fix the salary of the superintendent of public instruction in each county in Texas having a population of not less than 35,300 and not more than 35,500, according to the Federal census of 1920; providing for office expenses in such counties; repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to Committee on Education.

By Mr. Minor:

H. B. No. 189, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of such supervisors; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor, and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

Referred to Committee on Education.

By Mr. Minor:

H. B. No. 190, A bill to be entitled "An Act relating to the duties of the county board of education and the county superintendent of counties with an area of nine hundred and fifty-two square miles and a population of not less than 35,300 and more than 35,500, according to the Federal census of 1920; providing for method of election of the county board of education; authorizing the nomination of the teachers of the common school districts, subject to the confirmation of the local trustees; authorizing the county superintendents to make all purchases for supplies when the consideration is more than \$25; repealing all laws or parts of laws, general or special, in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

CONFERENCE COMMITTEE ON SENATE BILL NO. 4.

Mr. Wallace called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 4.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Wallace moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Wallace, Hornaday, Hubbard, Mosely and Thompson.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 97, "An Act to provide for the appointment of one deputy sheriff in each county containing a population of not less than 10,040 nor more than 10,050, as shown by the preceding Federal census and authorizing the payment of salary out of the general fund of the county, and declaring an emergency."

RECESS.

On motion of Mr. Pope of Jones, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

COMMITTEE OF THE WHOLE HOUSE.

Mr. Holder moved that the House do now resolve itself into a Committee of the Whole House for the purpose of considering charges filed against the Commissioner of the General Land Office.

The motion prevailed.

The House then, accordingly, at 2 o'clock p. m., resolved itself into a Committee of the Whole House, Mr. Barron being called to the chair.

(In Committee of the Whole House, Mr. Barron in the chair.)

(Pending taking of testimony, Mr. Woodall occupied the chair temporarily.)

IN THE HOUSE.

(Mr. Barron in the chair.)

At 5 o'clock p. m. Mr. Barron, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress and ask leave to sit again at 2 o'clock p. m. tomorrow.

The House adopted the report.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 19, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 1, A bill to be entitled "An Act appropriating two million, five hundred thousand dollars (\$2,500,000) per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, etc., and declaring an emergency," with amendments.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Finlay, the following bills were ordered not printed:

House bills Nos. 176, 164, 177, 168 and 163.

On motion of Mr. Hornaday, House bill No. 175 was ordered not printed.

SENATE BILL NO. 119 ON SECOND READING.

Mr. Morse moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 119, A bill to be entitled "An Act to amend Article 1265, Chapter 20, Title 28, of the Revised Civil Statutes of the State of Texas of 1925, and providing methods by which any city having a population of 100,000 and under 150,000, as shown by the preceding Federal census, may extend its

boundary limits and annex additional territory adjacent or contiguous to such city, and declaring an emergency."

The motion prevailed by the following vote:

Yeas—82.

Mr. Speaker.	Lemens.
Adkins.	Long of Houston.
Albritton.	Long of Wichita.
Anderson.	Marks.
Baker.	Mauritz.
Baldwin.	Maynard.
Barnett.	McCombs.
Beck.	McGill.
Bond.	Metcalfe.
Bounds.	Montgomery.
Brooks.	Moore.
Carpenter.	Morse.
Chastain.	Mosely.
Coltrin.	Murphy.
Conway.	Nicholson.
Cox of Lamar.	Olsen.
DeWolfe.	Petsch.
Enderby.	Pool.
Ewing.	Pope of Jones.
Eickenroht.	Pope of Nueces.
Finn.	Purl.
Finlay.	Quinn.
Gates.	Ray.
Gerron.	Richardson.
Giles.	Rountree.
Graves of Erath.	Sanders.
Hardy.	Savage.
Harper.	Shaver.
Harrison.	Shelton.
Heaton.	Simmons.
Hines.	Speck.
Holder.	Stevenson.
Hornaday.	Thompson.
Hubbard.	Thurmond.
Johnson	Van Zandt.
of Dimmit.	Waddell.
Johnson of Smith.	Warwick.
Jones.	Webb.
Justiss.	White.
Keeton.	Williams
Keller.	of Travis.
Kinnear.	Woodruff.
Lee.	Young.

Nays—17.

Ackerman.	Shipman.
Avis.	Sinks.
Forbes.	Snelgrove.
Harman.	Storey.
Kennedy.	Tillotson.
Kincaid.	Turner.
King.	Veatch.
Land.	Walters.
Pavlica.	

Present—Not Voting.

Sherrill.	Woodall.
Stephens.	

Absent.

Acker.	Martin.
Bateman.	McDonald.
Bradley.	McKean.
Brice.	Mehl.
Cox of Navarro.	Minor.
Cox of Limestone.	Mullally.
Davis.	Negley.
Duvall.	O'Neill.
Fuchs.	Palmer.
Gilbert.	Patterson.
Graves	Reid.
of Williamson.	Renfro.
Harding.	Smith.
Hefley.	Strong.
Hogg.	Tarwater.
Hopkins.	Wallace.
Johnson of Scurry.	Westbrook.
Kayton.	Wiggs.
Kemble.	Williams
Loy.	of Sabine.
Mankin.	

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

Mr. Finlay moved a call of the House for the purpose of maintaining a quorum until 6 o'clock p. m., and the call was not seconded.

Mr. Morse moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 119 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92.

Mr. Speaker.	Gates.
Adkins.	Giles.
Albritton.	Graves of Erath.
Anderson.	Harper.
Baker.	Harrison.
Baldwin.	Heaton.
Barnett.	Hines.
Beck.	Holder.
Bounds.	Hornaday.
Brooks.	Hubbard.
Carpenter.	Johnson
Coltrin.	of Dimmit.
Conway.	Johnson of Smith.
Cox of Navarro.	Johnson of Scurry.
Cox of Lamar.	Jones.
DeWolfe.	Justiss.
Enderby.	Keeton.
Ewing.	Keller.
Finn.	Kennedy.
Finlay.	Kincaid.
Forbes.	King.

Kinnear.	Rountree.
Land.	Sanders.
Lee.	Savage.
Long or Houston.	Shaver.
Long of Wichita.	Shelton.
Loy.	Sherrill.
Marks.	Shipman.
McCombs.	Simmons.
McGill.	Sinks.
Metcalfe.	Snelgrove.
Minor.	Speck.
Montgomery.	Storey.
Moore.	Thompson.
Morse.	Tillotson.
Mosely.	Turner.
Murphy.	Van Zandt.
Nicholson.	Veatch.
Olsen.	Waddell.
Palmer.	Walters.
Pavlica.	Warwick.
Petsch.	Webb.
Pool.	White.
Pope of Jones.	Williams
Pope of Nueces.	of Travis.
Purl.	Woodall.
Quinn.	Woodruff.
Ray.	Young.
Richardson.	

Nays—4.

Ackerman.	Bond.
Avis.	Stevenson.

Present—Not Voting.

Chastain.	Stephens.
Bateman.	Tarwater.

Absent.

Acker.	Mankin.
Bradley.	Martin.
Brice.	Mauritz.
Cox of Limestone.	Maynard.
Davis.	McDonald.
Duvall.	McKean.
Eickenroht.	Mehl.
Fuchs.	Mullally.
Gerron.	Negley.
Gilbert.	O'Neill.
Graves	Patterson.
of Williamson.	Reid.
Hardy.	Renfro.
Harding.	Smith.
Harman.	Strong.
Hefley.	Thurmond.
Hogg.	Wallace.
Hopkins.	Westbrook.
Kayton.	Wiggs.
Kemble.	Williams
Lemens.	of Sabine.

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

The Speaker then laid Senate bill No. 119 before the House on its second reading and passage to third reading.

The bill was read second time and and was passed to third reading.

SENATE BILL NO. 119 ON THIRD READING.

The Speaker then laid Senate bill No. 119 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—95.

Mr. Speaker.	Marks.
Adkins.	Mauritz.
Albritton.	McCombs.
Anderson.	McGill.
Baker.	McKean.
Baldwin.	Metcalfe.
Barnett.	Minor.
Beck.	Montgomery.
Bounds.	Moore.
Brooks.	Morse.
Carpenter.	Mosely.
Chastain.	Murphy.
Coltrin.	Nicholson.
Conway.	Olsen.
Cox of Navarro.	Palmer.
Cox of Lamar.	Pavlica.
Davis.	Petsch.
DeWolfe.	Pool.
Enderby.	Pope of Jones.
Ewing.	Pope of Nueces.
Finn.	Quinn.
Finlay.	Ray.
Forbes.	Richardson.
Gates.	Rountree.
Gerron.	Sanders.
Giles.	Savage.
Graves of Erath.	Shaver.
Harper.	Shelton.
Harrison.	Sherrill.
Heaton.	Shipman.
Hines.	Simmons.
Holder.	Sinks.
Hornaday.	Snelgrove.
Hubbard.	Speck.
Johnson	Stevenson.
of Dimmit.	Thompson.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Turner.
Jones.	Van Zandt.
Justiss.	Veatch.
Keeton.	Waddell.
Keller.	Walters.
Kennedy.	Warwick.
Kincaid.	Webb.
King.	White.
Kinnear.	Williams
Land.	of Travis.
Lee.	Woodall.
Long of Houston.	Woodruff.
Long of Wichita.	Young.

Nays—3.

Ackerman.	Bond.
Avis.	
Present—Not Voting.	
Purl.	Tarwater.
Stephens.	
Absent.	
Acker.	Mankin.
Bateman.	Martin.
Bradley.	Maynard.
Brice.	McDonald.
Cox of Limestone.	Mehl.
Duvall.	Mullally.
Eickenroht.	Negley.
Fuchs.	O'Neill.
Gilbert.	Patterson.
Graves	Reid.
of Williamson.	Renfro.
Hardy.	Smith.
Harding.	Storey.
Harman.	Strong.
Hefley.	Thurmond.
Hogg.	Wallace.
Hopkins.	Westbrook.
Kayton.	Wiggs.
Kemble.	Williams
Lemens.	of Sabine.
Loy.	

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

HOUSE BILL NO. 1, WITH SENATE AMENDMENTS.

Mr. Van Zandt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1, A bill to be entitled "An Act appropriating two million, five hundred thousand dollars (\$2,500,000) per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Van Zandt moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Mauritz.
Adkins.	McCombs.
Albritton.	McGill.
Avis.	McKean.
Baker.	Metcalfe.
Baldwin.	Minor.
Barnett.	Montgomery.
Bateman.	Moore.
Beck.	Mosely.
Bond.	Murphy.
Bounds.	Olsen.
Brooks.	Palmer.
Carpenter.	Pavlica.
Chastain.	Petsch.
Coltrin.	Pool.
Conway.	Pope of Jones.
Cox of Navarro.	Pope of Nueces.
Cox of Lamar.	Quinn.
Davis.	Ray.
Enderby.	Renfro.
Ewing.	Richardson.
Finlay.	Rountree.
Forbes.	Sanders.
Gates.	Savage.
Giles.	Shaver.
Graves of Erath.	Shelton.
Harman.	Sherrill.
Harper.	Shipman.
Harrison.	Simmons.
Heaton.	Sinks.
Hines.	Snelgrove.
Holder.	Speck.
Hornaday.	Stephens.
Hubbard.	Storey.
Johnson of Smith.	Tarwater.
Johnson	Thompson.
of Dimmit.	Tillotson.
Johnson of Scurry.	Turner.
Jones.	Van Zandt.
Justiss.	Veatch.
Keeton.	Waddell.
Keller.	Walters.
Kennedy.	Warwick.
Kincaid.	Webb.
King.	White.
Kinnear.	Williams of Travis.
Lee.	Woodall.
Long of Houston.	Woodruff.
Marks.	Young.

Nays—1.

Finn.

Present—Not Voting.

DeWolfe.

Purl.

Absent.

Acker.	Eickenroht.
Ackerman.	Fuchs.
Anderson.	Gerron.
Bradley.	Gilbert.
Brice.	Graves
Cox of Limestone.	of Williamson.
Duvall.	Hardy.

Harding.	Mullally.
Hefley.	Negley.
Hogg.	Nicholson.
Hopkins.	O'Neill.
Kayton.	Patterson.
Kemble.	Reid.
Land.	Smith.
Lemens.	Stevenson.
Long of Wichita.	Strong.
Loy.	Thurmond.
Mankin.	Wallace.
Martin.	Westbrook.
Maynard.	Wiggs.
McDonald.	Williams
Mehl.	of Sabine.
Morse.	

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

HOUSE BILL NO. 103 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 103, A bill to be entitled "An Act to levy and collect annually a five-dollar road tax against all able-bodied male citizens of Burleson county who are subject to road work under the general laws of this State who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collecting of said tax, and providing further for a penalty for failure or refusal to pay such tax; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 103 ON THIRD READING.

Mr. Sinks moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

Mr. Speaker.	Beck.
Ackerman.	Bond.
Adkins.	Bounds.
Albritton.	Brooks.
Anderson.	Carpenter.
Avis.	Chastain.
Baldwin.	Coltrin.
Barnett.	Conway.
Bateman.	Cox of Navarro.

Cox of Lamar.	Mosely.
Davis.	Murphy.
DeWolfe.	Olsen.
Enderby.	Palmer.
Ewing.	Pavlica.
Finn.	Petsch.
Finlay.	Pool.
Forbes.	Pope of Jones.
Gates.	Pope of Nueces.
Giles.	Quinn.
Graves of Erath.	Ray.
Hardy.	Renfro.
Harman.	Richardson.
Harper.	Rountree.
Harrison.	Sanders.
Heaton.	Savage.
Holder.	Shaver.
Hornaday.	Shelton.
Hubbard.	Sherrill.
Johnson	Shipman.
of Dimmit.	Simmons.
Johnson of Smith.	Sinks.
Johnson of Scurry.	Snelgrove.
Justiss.	Speck.
Keeton.	Stephens.
Keller.	Storey.
Kincaid.	Tarwater.
King.	Tillotson.
Kinnear.	Turner.
Lee.	Van Zandt.
Long of Houston.	Veatch.
Marks.	Waddell.
Mauritz.	Walters.
McCombs.	Warwick.
McGill.	Webb.
McKean.	White.
Metcalfe.	Williams
Minor.	of Travis.
Montgomery.	Woodall.
Moore.	Woodruff.
Morse.	Young.

Present—Not Voting.

Hines.	Jones.
Kennedy.	Purl.

Absent.

Acker.	Lemens.
Baker.	Long of Wichita.
Bradley.	Loy.
Brice.	Mankin.
Cox of Limestone.	Martin.
Duvall.	Maynard.
Eickenroht.	McDonald.
Fuchs.	Mehl.
Gerron.	Mullally.
Gilbert.	Negley.
Graves	Nicholson.
of Williamson.	O'Neill.
Harding.	Patterson.
Hefley.	Reid.
Hogg.	Smith.
Hopkins.	Stevenson.
Kayton.	Strong.
Kemble.	Thompson.
Land.	Thurmond.

Wallace.
Westbrook.
Wiggs.

Williams
of Sabine.

Absent—Excused.

Dunlap.
Jenkins.
Kenyon.
Prendergast.

Reader.
Rogers.
Williams
of Hardin.

The Speaker then laid House bill No. 103 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—95.

Mr. Speaker.	Marks.
Ackerman.	Mauritz.
Adkins.	McCombs.
Albritton.	McGill.
Anderson.	McKean.
Avis.	Metcalfe.
Baker.	Minor.
Baldwin.	Montgomery.
Barnett.	Moore.
Bateman.	Morse.
Beck.	Mosely.
Bond.	Murphy.
Bounds.	Olsen.
Brice.	Palmer.
Brooks.	Pavlica.
Chastain.	Petsch.
Coltrin.	Pool.
Conway.	Pope of Jones.
Cox of Navarro.	Pope of Nueces.
Cox of Lamar.	Purl.
Davis.	Ray.
DeWolfe.	Renfro.
Enderby.	Richardson.
Ewing.	Sanders.
Finn.	Savage.
Finlay.	Shelton.
Forbes.	Sherrill.
Gates.	Shipman.
Giles.	Simmons.
Graves of Erath.	Sinks.
Hardy.	Snelgrove.
Harman.	Speck.
Harrison.	Stephens.
Heaton.	Storey.
Holder.	Strong.
Hornaday.	Tarwater.
Hubbard.	Thompson.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Smith.	Van Zandt.
Johnson of Scurry.	Veatch.
Justiss.	Waddell.
Keeton.	Walters.
Keller.	Warwick.
Kincaid.	Webb.
King.	Williams
Kinnear.	of Travis.
Lee.	Woodruff.
Long of Houston.	Young.
Long of Wichita.	

Nays—1.

Quinn.

Present—Not Voting.

Hines.
Jones.
Kennedy.

White.
Woodall.

Absent.

Acker.	Mankin.
Bradley.	Martin.
Carpenter.	Maynard.
Cox of Limestone.	McDonald.
Duvall.	Mehl.
Eickenroht.	Mullally.
Fuchs.	Negley.
Gerron.	Nicholson.
Gilbert.	O'Neill.
Graves	Patterson.
of Williamson.	Reid.
Harding.	Rountree.
Harper.	Shaver.
Hefley.	Smith.
Hogg.	Stevenson.
Hopkins.	Thurmond.
Kayton.	Wallace.
Kemble.	Westbrook.
Land.	Wiggs.
Lemens.	Williams
Loy.	of Sabine.

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kenyon.	Williams
Prendergast.	of Hardin.

SPECIAL ORDER SET.

Mr. Young moved that House bill No. 124 be set as a special order for 11 o'clock a. m. next Friday.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	DeWolfe.
Ackerman.	Enderby.
Adkins.	Ewing.
Albritton.	Finn.
Avis.	Forbes.
Baker.	Gates.
Baldwin.	Gerron.
Barnett.	Gilbert.
Bateman.	Giles.
Beck.	Hardy.
Bond.	Harman.
Brice.	Harper.
Brooks.	Harrison.
Chastain.	Hines.
Coltrin.	Holder.
Conway.	Hornaday.
Cox of Navarro.	Hubbard.
Cox of Lamar.	Johnson
Davis.	of Dimmit.

Johnson of Smith.	Ray.
Johnson of Scurry.	Renfro.
Jones.	Richardson.
Justiss.	Rountree.
Keeton.	Sanders.
Keller.	Savage.
Kincaid.	Shelton.
King.	Sherrill.
Kinnear.	Shipman.
Lee.	Simmons.
Long of Houston.	Sinks.
Mauritz.	Snelgrove.
McCombs.	Speck.
McGill.	Stephens.
McKean.	Storey.
Metcalfe.	Tarwater.
Minor.	Thompson.
Montgomery.	Tillotson.
Moore.	Turner.
Morse.	Van Zandt.
Mosely.	Veatch.
Murphy.	Waddell.
Olsen.	Walters.
Palmer.	Warwick.
Pavlica.	Webb.
Petsch.	White.
Pool.	Williams
Pope of Jones.	of Travis.
Pope of Nueces.	Woodruff.
Quinn.	Young.

Nays—6.

Bounds.	Heaton.
Finlay.	Kennedy.
Graves of Erath.	Marks.

Present—Not Voting.

Woodall.

Absent.

Acker.	Martin.
Anderson.	Maynard.
Bradley.	McDonald.
Carpenter.	Mehl.
Cox of Limestone.	Mullally.
Duvall.	Negley.
Eickenroht.	Nicholson.
Fuchs.	O'Neill.
Graves	Patterson.
of Williamson.	Purl.
Harding.	Reid.
Hefley.	Shaver.
Hogg.	Smith.
Hopkins.	Stevenson.
Kayton.	Strong.
Kemble.	Thurmond.
Land.	Wallace.
Lemens.	Westbrook.
Long of Wichita.	Wiggs.
Loy.	Williams
Mankin.	of Sabine.

Absent—Excused.

Dunlap.	Kenyon.
Jenkins.	Prendergast.

Reader.	Williams
Rogers.	of Hardin.

HOUSE BILL NO. 163 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 163, A bill to be entitled "An Act providing for the open season on squirrels in certain counties; providing a penalty, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following amendment to the bill:

Amend House bill No. 163 by striking out the words "Cass, Marion, Bowie and Morris" wherever they appear in the bill.

The amendment was adopted.

Mr. McCombs offered the following amendment to the bill:

Amend the bill by striking out "Jefferson county" wherever it appears in the bill.

Mr. Quinn moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was lost.

House bill No. 163 was then passed to engrossment.

ADJOURNMENT.

Mr. Hardy moved that the House adjourn until 9:30 o'clock a. m. Thursday, June 20.

Mr. Holder moved that the House recess to 9:30 o'clock a. m. tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—24.

Ackerman.	Hornaday.
Avis.	Keller.
Baker.	King.
Bounds.	McKean.
Brice.	Pavlica.
Ewing.	Ray.
Gates.	Sherrill.
Gerron.	Shipman.
Hardy.	Simmons.
Harman.	Snelgrove.
Harper.	Stephens.
Holder.	Veatch.

Nays—53.

Albritton.	Carpenter.
Bateman.	Chastain.
Beck.	Coltrin.
Bond.	Davis.

Finn.	Palmer.
Finlay.	Petsch.
Forbes.	Pool.
Hines.	Pope of Jones.
Johnson	Purl.
of Dimmit.	Quinn.
Johnson of Smith.	Renfro.
Johnson of Scurry.	Sanders.
Jones.	Savage.
Justiss.	Shaver.
Keeton.	Shelton.
Kennedy.	Sinks.
Kincaid.	Speck.
Kinnear.	Tarwater.
Lee.	Thompson.
Long of Houston.	Tillotson.
Marks.	Turner.
Mauritz.	Van Zandt.
McCombs.	Waddell.
McGill.	Walters.
Montgomery.	Warwick.
Moore.	Williams
Morse.	of Travis.
Murphy.	Woodruff.
Olsen.	

Absent.

Acker.	Eickenroht.
Adkins.	Fuchs.
Anderson.	Gilbert.
Baldwin.	Giles.
Barnett.	Graves
Bradley.	of Williamson.
Brooks.	Graves of Erath.
Conway.	Harding.
Cox of Navarro.	Harrison.
Cox of Lamar.	Heaton.
Cox of Limestone.	Hefley.
DeWolfe.	Hogg.
Duvall.	Hopkins.
Enderby.	Hubbard.

Kayton.	Nicholson.
Kemble.	O'Neill.
Land.	Patterson.
Lemens.	Pope of Nueces.
Long of Wichita.	Reid.
Loy.	Richardson.
Mankin.	Rountree.
Martin.	Smith.
Maynard.	Stevenson.
Wiggs.	Storey.
Williams	Strong.
of Sabine.	Thurmond.
McDonald.	Wallace.
Mehl.	Webb.
Metcalfe.	Westbrook.
Minor.	White.
Mosely.	Woodall.
Mullally.	Young.
Negley.	

Absent—Excused.

Dunlap.	Reader.
Jenkins.	Rogers.
Kayton.	Williams
Prendergast.	of Hardin.

Mr. Pope of Nueces raised the point of order that there is not a quorum present.

The Speaker sustained the point of order.

Mr. Quinn moved that the House adjourn until 9 o'clock a. m. Thursday.

Mr. Tillotson moved that the House adjourn until 9:30 o'clock a. m. Thursday, June 20.

The motion of Mr. Tillotson prevailed, and the House, accordingly, at 6:10 o'clock p. m., adjourned until 9:30 o'clock a. m. Thursday.

In Memory
of
Hon. Herschel Boggs

Mr. Metcalfe offered the following resolution:

Whereas, The Almighty, in His infinite wisdom, has called to his last rest the Hon. J. Herschel Boggs, who passed away at his home in San Angelo on June 18, 1929; and

Whereas, Mr. Boggs served with honor and distinction in the Thirty-ninth and Fortieth Legislatures as a member from the Ninety-first Legislative District, during which he not only endeared himself to his colleagues, but left behind a record of faithful service well performed; and

Whereas, In the death of Mr. Boggs the citizenship of San Angelo, of West Texas, and the State as a whole, has lost a public-spirited and forward-looking citizen, a patriot and a statesman, and his family a loving husband and a devoted father; therefore, be it

Resolved, That we extend to the bereaved family our sincere and deep sympathy; that this resolution be printed in the House Journal on a page set apart for that purpose; that a copy signed by the Speaker and the Chief Clerk be sent the members of his family; and that when the House adjourns today it do so in memory of this noble son of the Southland.

METCALFE,
DAVIS,
POPE of Jones,
GILBERT,
OLSEN,
PAVLICA,
FINLAY,
KING,
BATEMAN,
McGILL,
RENFRO,
GRAVES of Erath,
KENNEDY,
ENDERBY,
JONES,
RICHARDSON,
SIMMONS,
ANDERSON,
VAN ZANDT,
WILLIAMS of Sabine,
COX of Lamar,
ACKER,
SNELGROVE.

The resolution was read second time, and was adopted by a rising vote.